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REJECTION OVER A PRIOR PATENT**Docket Number (Optional)
03678.0022.CNUS02

In re Application of: William Pendergast, et al.

Application No.: 10/007,451

Filed: November 6, 2001

For: Certain Dinucleotides and Their Use as Modulators of Mucociliary Clearance and Ciliary Beat Frequency

The owner*, Inspire Pharmaceuticals, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,348,589. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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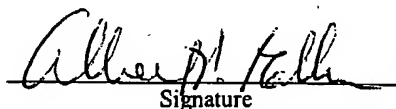
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